IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH POUSHA, 1928

WP(C).No. 299 of 2007(I)

PETITIONERS:

1. P.C.SIMON, AGED 35 YEARS,
   S/O.CHUMMAR, PAIBALIL, VELIYANNOOR PO,
   AREEKARA, KOTTAYAM.

2. SHOBANA RAJAN, AGED 38 YEARS,
   W/O.RAJAN, VATTAPARA HOUSE, VELIYANNOOR PO,
   AREEKARA, KOTTAYAM.

BY ADV. SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENTS:

THE REGISTERING AUTHORITY,
JOINT REGIONAL TRANSPORT OFFICER,
PALA, KOTTAYAM DISTRICT.

BY GOVT.PLEADER SRI SOJAN JAMES

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN, J.

W.P.(C).NO.299 OF 2007

Dated this the 3rd day of January, 2007

JUDGMENT

The grievance of the petitioners is that for registering the vehicle the authorities are insisting for payment of entry tax. In view of the decision of the Division Bench of this Court in **Thressiamma v. State of Kerala and another (O.P.NO.434/96 and connected cases),** the levy of entry tax has been declared as unconstitutional. Unless the said decision is varied or altered by the Apex Court in any appeal, the authorities cannot insisting for such payment. In such circumstances, there will be a direction to the respondent to

consider the application for registration without insisting for payment of entry tax.

Writ Petition is disposed of as above.

P.R.RAMAN,
JUDGE.

kcv.